

Federal Trafficking Penalties

| DRUG/SCHEDULE | QUANTITY | PENALTIES | QUANTITY | PENALTIES |
|---|---|---|--|--|
| Cocaine (Schedule II) | 500 - 4999 gms mixture | First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual | 5 kgs or more mixture | First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. |
| Cocaine Base (Schedule II) | 28-279 gms mixture | | 280 gms or more mixture | |
| Fentanyl (Schedule II) | 40 - 399 gms mixture | | 400 gms or more mixture | |
| Fentanyl Analogue (Schedule I) | 10 - 99 gms mixture | | 100 gms or more mixture | Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment |
| Heroin (Schedule I) | 100 - 999 gms mixture | | 1 kg or more mixture | |
| LSD (Schedule I) | 1 - 9 gms mixture | | 10 gms or more mixture | |
| Methamphetamine (Schedule II) | 5 - 49 gms pure or 50 - 499 gms mixture | | 50 gms or more pure or 500 gms or more mixture | |
| PCP (Schedule II) | 10 - 99 gms pure or 100 - 999 gms mixture | 100 gm or more pure or 1 kg or more mixture | | |
| PENALTIES | | | | |
| Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) | Any amount | First Offense: Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not more than 15 yrs. Fine \$2 million if an individual, \$10 million if not an individual | | |
| Other Schedule III drugs | Any amount | First Offense: Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1.5 million if an individual, \$5 million if not an individual | | |

| | | |
|-----------------------------|----------------|--|
| All other Schedule IV drugs | Any amount | First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. |
| Flunitrazepam (Schedule IV) | Less than 1 gm | Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual. |
| All Schedule V drugs | Any amount | First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual. |

Federal Trafficking Penalties – Marijuana

| DRUG | QUANTITY | 1 st OFFENSE | 2 nd OFFENSE * |
|------------------------|---|---|---|
| Marijuana (Schedule I) | 1,000 kg or more mixture; or 1,000 or more plants | Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual | Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual |
| Marijuana (Schedule I) | 100 kg to 999 kg mixture; or 100 to 999 plants | Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual | Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual |
| Marijuana (Schedule I) | more than 10 kgs hashish; 50 to 99 kg mixture | Not more than 20 years If death or serious injury, not less than 20 years, not more than life | Not more than 30 years If death or serious injury, mandatory life |

| | | | |
|--------------------------|--|--|---|
| | more than 1 kg of hashish oil; 50 to 99 plants | Fine \$1 million if an individual, \$5 million if other than an individual | Fine \$2 million if an individual, \$10 million if other than individual |
| Marijuana (Schedule I) | 1 to 49 plants; less than 50 kg | Not more than 5 years Fine not more than \$250,000, \$1 million other than individual | Not more than 10 years Fine \$500,000 if an individual, \$2 million if other than individual |
| Hashish (Schedule I) | 10 kg or less | | |
| Hashish Oil (Schedule I) | 1 kg or less | | |

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$8 million if an individual and \$20 million if other than an individual.